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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 TIMOTHY DICKENS, an individual,  
13 Plaintiff,  
14 v.

CASE NO.: 2:21-cv-00087-APG-VCF

15 GNLV CORP, d/b/a GOLDEN NUGGET LAS  
16 VEGAS, a domestic corporation,  
17 Defendants.

18 **STIPULATION AND ORDER TO EXTEND**  
19 **DISCOVERY AND DISPOSITIVE MOTION**  
20 **DEADLINES**  
21 **(Third Request)**

22 IT IS HEREBY STIPULATED by and between Defendant GNLV, LLC d/b/a Golden Nugget Las  
23 Vegas Hotel and Casino (incorrectly identified as "CORP d/b/a Golden Nugget Las Vegas") ("Defendant"),  
24 by and through its counsel of record, Jackson Lewis, P.C., and Plaintiff Timothy Dickens ("Plaintiff"), by  
25 and through his counsel Mullins and Trenchak, hereby stipulate and agree as follows:

26 1. On May 5, 2021, the Court entered an Order granting the Stipulated Discovery Plan and  
27 Scheduling Order submitted by the parties. ECF No. 15.

28 2. This is the third request by the parties to extend the discovery deadlines as set forth in the  
May 5, 2021 Order. ECF No. 15.

1           3.     In this case, the parties have been working on written discovery, including Defendant's  
2 responses to extensive written discovery served by Defendant, including Interrogatories, Requests for  
3 Production of Documents which were served on Plaintiff by Defendant on January 6, 2022.

4           4.     Plaintiff has completed Responses to Interrogatories which were served on the Defendant  
5 on July 18, 2022. A Supplement to the Initial Disclosure was also served on July 18, 2022. Plaintiff  
6 anticipates that the Responses to Defendant's Request for Production of Documents will be completed and  
7 served on Defendant by July 19, 2022.

8           5.     Plaintiff's Counsel required surgery during the summer of 2021. Plaintiff's Counsel  
9 attended physical therapy three (3) days a week through June of 2021. Plaintiff's Counsel had two (2)  
10 surgical procedures; one in June of 2021 and one in July of 2021. These procedures required time away  
11 from the office of four (4) to six (6) weeks of recovery time for each procedure.

12           6.     The parties stipulate and agree to extend the deadline for the close of discovery for sixty  
13 (60) days to allow the parties to complete the pending written discovery and conduct necessary depositions  
14 in order to fully evaluate the claims and defenses presented.

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16                   **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

17           The Defendant served their initial disclosures on June 4, 2021. The Plaintiff served his initial  
18 disclosures on June 3, 2021. On July 16, 2021, the parties entered into a stipulated protective order. ECF  
19 No. 18. The Court signed the Stipulated Protective Order on July 18, 2021. ECF No. 19. On January 6,  
20 2022, Defendant served Defendant's First Set of Requests for Production of Documents, as well as  
21 Interrogatories. On January 14, 2022, Plaintiff served Plaintiff's First Set of Requests for Production of  
22 Documents as well as Interrogatories. On July 18, 2022, Plaintiff served Responses to Defendants  
23 Interrogatories and the First Supplement to Plaintiff's Initial Disclosures were also served on July 18, 2022.  
24 Plaintiff had set backs scheduling time with his Counsel to respond to current written discovery due to his  
25 living accommodations that have changed drastically and his work schedule. Plaintiff should be serving  
26 the Responses to Defendant's Requests for Documents by July 19, 2022.

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1                   **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

2           The parties have not yet completed discovery and anticipate that additional time will be needed to  
 3 complete pending written discovery and depositions. For the above stated reasons, the parties request that  
 4 the discovery deadline be extended sixty (60) days from **August 9, 2022 to October 7, 2022**. Additional  
 5 closures and quarantines may result in an additional request to extend the discovery period.

6                   ~~**PROPOSED**~~ **SCHEDULE**

7           The parties stipulate and agree that:

8           1.       **Discovery:** The discovery period shall be extended sixty (60) days from **August 9, 2022**  
 9 **to October 7, 2022**. The deadline to request an additional extension to the discovery period shall be  
 10 twenty-one (21) days before the scheduled discovery cut-off.

11           2.       **Dispositive Motions:** The parties shall have through and including **November 9, 2022**, to  
 12 file dispositive motions, which is 30 days after the discovery deadline.

13           3.       **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial Order shall be filed  
 14 12-9-2022  
 15 thirty (30) days after the date set for the filing of dispositive motions. In the event dispositive motions are  
 16 filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after decision on  
 17 the dispositive motions or by further order of the Court.

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4. Extensions or Modifications of the Discovery Plan and Scheduling Order: In accordance with Local Rule 26-4, a stipulation or motion for modification or extension of this discovery plan and scheduling order and any deadline contained herein, must be made not later than twenty-one (21) days before the subject deadline.

This stipulation and order is sought in good faith and not for the purpose of delay.

Dated this 19<sup>th</sup> day of July, 2022.

LAW OFFICE OF  
MULLINS & TRENCHAK

JACKSON LEWIS P.C.

/s/ Philip J. Trenchak, Esq

/s/ Kirsten Milton

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**ORDER**

IT IS SO ORDERED July 19, 2022.

  
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U.S. District Judge/Magistrate Judge